

REMARKS

In response to the above-identified Office Action, Applicant seeks reconsideration in view of the following remarks and the amendments reflected in the claim listing above. No new matter has been added.

I. Claim Rejections – 35 U.S.C. §103

Claims 19-28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat. No. 5,898,679 (“Brederveld”). This rejection is respectfully traversed.

Brederveld does not disclose, inter alia, a wireless system providing functionality in accordance with a wireless communication standard protocol, wherein the wireless communication server “provides the functionality of the wireless communication standard protocol required for maintaining centralized filtering and forwarding of data to be transmitted to the remote units” as recited in claim 19.

Brederveld generally relates to a wireless relay that provides repeated transmission from an end-station in the event that the transmission. The Examiner correctly notes that Brederveld fails to explicitly disclose a system wherein the centralized filtering and forwarding is at the server, instead arguing that “centralizing the filtering and forwarding function at the server would have minimized the complexity and cost of the access points,” and that “it would have been obvious to one ordinary skilled to move the bridging function of the access point to the server to minimize costs and complexity to the access points.” Applicant respectfully disagrees.

As mentioned in the present application, wireless communication standards such as the popular 802.11 series of standards have exclusively included access points with a specified set of functionality, including the functionality pertaining to filtering and forwarding of transmissions to the appropriate remote unit. The present inventor, however, appreciated that, due to the increasing need for applications that must support a high volume of data communications from a large number of users simultaneously, the number of access points in a given wireless network (e.g., a network conforming to a standard that traditionally included such functionality in an access point) would increase significantly, leading to undesirable cost and complexity (see, e.g., Background, Par.

[0001]-[0005]). Applicant avers that this is evidenced by the fact that, to his knowledge, at the time of the invention nobody offered for sale an 802.11 access point that did *not* include the filtering and forwarding functions.

Furthermore, Brederveld actually teaches *away* from the present invention. MPEP 2145(X)(D). In an attempt to provide the selective repeater functionality, Brederveld notes that “one or more relays (or repeaters) may be incorporated into mobile stations, access points, or both.” (col. 4, lines 55-60). That is, not only is Brederveld making the system *more* complex by incorporating additional components and software within multiple mobile stations and/or access points, the reference at no time contemplates that the selectivity associated with the repeater functionality might be centralized at the server or elsewhere (e.g., server 105 in Fig. 1 of Brederveld). Stated another way, Brederveld sacrifices simplicity, cost, and centralization in the interest of improving communication, while the present invention centralizes the hitherto decentralized functionality of a communication standard in order to reduce cost and complexity. Thus, Brederveld would in no way motivate a person skilled in the art to move the filtering and forwarding requirements of an access point to a centralized server.

Furthermore, Applicant submits that the Examiner’s conclusion with respect to the advantages of moving certain functionality to a centralized server is impermissible hindsight. MPEP 2145(X)(A). A person of ordinary skill in the art with the level of knowledge available at the time the invention was made would not have appreciated the benefits of moving a subset of the traditional access point functionality specified in a standard (e.g., the IEEE 802.11 specification) to a centralized server. The inventor was clearly proceeding contrary to accepted wisdom. MPEP 2145(X)(D)(3).

Accordingly, Applicants respectfully submit that Brederveld, taken alone or in combination with any other art or record, would not include each and every element of claim 19 as currently amended, and furthermore that there is no motivation to combine this reference with the prior art. As the remaining claims variously depend from claim 19, they are non-obvious for at least the reasons set forth above. Applicants therefore request that the Section 103 rejections be withdrawn.

II. Conclusion

In view of the foregoing, it is believed that all claims now pending are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (480) 385-5060 or dpote@ifllaw.com.

If necessary, the Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 50-2091 for any fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,
Ingrassia, Fisher & Lorenz

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